

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
Atlanta DIVISION

Joshua Hornsby

|                        |   |                   |
|------------------------|---|-------------------|
|                        | ) |                   |
|                        | ) |                   |
| Plaintiff,             | ) |                   |
|                        | ) | CIVIL ACTION FILE |
| v.                     | ) |                   |
|                        | ) | NUMBER _____      |
| COMMISSIONER OF SOCIAL | ) |                   |
| SECURITY,              | ) |                   |
|                        | ) |                   |
| Defendant.             | ) |                   |

**NOTICE AND CONSENT TO PROCEED BEFORE A  
MAGISTRATE JUDGE IN A SOCIAL SECURITY APPEAL**

Title 28, U.S.C. § 636(c) authorizes magistrate judges, rather than district judges, to preside over civil cases if both sides consent. The magistrate judges of this Court are well qualified and will typically have more experience than district judges in adjudicating appeals from decisions denying Social Security disability appeals.

In addition, magistrate judges are often able to resolve cases more quickly than district judges, who have lengthy civil and criminal dockets.

Finally, an appeal from a judgment entered by a magistrate judge may be taken directly to the Eleventh Circuit Court of Appeals in the same manner as an appeal from a judgment of the district court. Because all federal judges sit as appellate courts and apply identical standards when reviewing a denial of Social Security benefits, a consent to proceed before a magistrate judge removes one layer of appellate review and serves to conserve the resources of the parties and the Court.

For all of these reasons, the Court encourages both parties to consent to the use of a magistrate judge in Social Security appeals. The United States Attorney has formally consented, on behalf of the Defendant, to allow all such cases to be handled by magistrate judges unless consent is withdrawn as to a particular case at the time of filing the initial response to the complaint. See Standing Order No. 06-02, filed December 18, 2006.

Your decision to consent to the use of a magistrate judge is totally voluntary, and you are free to withhold your consent without suffering adverse substantive consequences. To indicate your consent, simply sign below and file this form with the Clerk.

**Pursuant to 28 U.S.C. § 636(c), Plaintiff consents to the exercise of jurisdiction by a Magistrate Judge in this case.**



\_\_\_\_\_  
Counsel for Plaintiff